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Paper No. 7

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OFFICE OF PETITIONS

In re Application of William W. Chen, Gary T. Jones, Jay B. Ballard and E.J. Homier Application No. 09/885,206 Filed: June 20, 2001 Title: POSITIVE TEMPERATURE COEFFICIENT RESISTIVITY PROTECTED POWER TRANSFORMER

NOTICE OF NONACCEPTANCE OF PETITION FILING

This is in response to the "Petition by Inventor Signing on Behalf of Other Named Inventor who Refused to Sign under 37 CFR \$1.47(a)," filed December 26, 2001 (certificate of mailing October 16, 2001).

The above-identified application was filed on June 20, 2001, without an executed oath or declaration and naming William Chen, Gary Jones, Jay Ballard and E.J. Hormier as joint inventors. Accordingly, on August 16, 2001, a "Notice to File Missing Parts of Application" was mailed, requiring an executed oath or declaration and surcharge for its late filing. This Notice set a period for reply of two months from the mailing date of the notice, to October 16, 2001.

A response was timely filed including a cover transmittal signed by patent attorney Golden, a petition under \$1.47 signed by inventor Jones, and the supporting affidavit of attorney Golden. Application for patent may be made by all of the inventors or the assignee of the entire interest. Thus, papers filed in an application, including petitions, must be signed by all of the inventors, the owner of the entire interest, or a registered patent attorney or agent. See 37 C.F.R. 1.33(b).

As the instant petition is only signed by inventor Jones, it cannot be accepted. For consideration of status under §1.47, a properly executed petition is required.

Applicants are given two months from the mailing date of this Notice to file a proper petition (or otherwise, meet the outstanding response to the "Notice to File Missing Parts"). Extensions of time under §1.136(a) are permitted. Failure to file a timely and proper response will result in abandonment of this application.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

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Telephone inquiries related to this communication may be directed to Petitions Attorney Nancy Johnson at 703-305-0309.

Beverly M. Flanagan Supervisory Petitions Examiner

Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy